THE HON'BLE SRI. JUSTICE GODA RAGHURAM

W.P.No. 6324 of 2006

31-03-2006

Between:-

N. Chandramma and two others.

Petitioners

And

The Executive Officer, Simhachala Devasthanam, Simhachalam, Visakhapatnam district.

Respondent

THE HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.No. 6324 of 2006

Oral order:

This writ petition is filed in lieu of seeking injunctive relief from a civil court of competent jurisdiction. The complaint of the petitioners is that they had purchased plots ad-measuring 397, 300 and 303 Sq. yards in survey No. 43/2, Madhavadhara village, Vishakapatnam in the year 1982 and were constructing individual apartments in the plots after obtaining permission from the Municipal Corporation, Vishakapatnam and that despite their title, ownership and right to peaceful possession of the property in question, the respondent is 'interfering with the construction and objecting to the constructions' for unknown reasons. The petitioners accordingly seek a direction to the respondent not to interfere with the construction of apartments and peaceful enjoyment of plots by the petitioners.

The writ petition is fair and square for the relief of an injunction. A relief more appropriately sought before the civil court of competent jurisdiction.

In the circumstances, the writ petition is dismissed with liberty to the petitioners to pursue appropriate alternative remedies. No costs.

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GODA RAGHURAM, J

Dated:31-03-2006

Pvks/*